



United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

April 2, 2020

By ECF

The Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
United State Courthouse  
40 Foley Square, Courtroom 518  
New York, New York 10007

**Re:    *United States v. Sayfullu Habibullaevic Saipov, S1 17 Cr. 722 (VSB)***

Dear Judge Broderick:

We write on behalf of the parties pursuant to the Court's March 18, 2020 order to provide an update regarding the status of this matter, including potential trial dates. In light of the ongoing COVID-19 pandemic and the corresponding impact on the Court's operations, including the suspension of jury trials until at least June 1, 2020, the parties do not believe that the Court should set a new trial date at this time. Instead, the parties jointly request that the Court set another deadline for a joint status update of May 4, 2020.

With respect to potential trial dates, the Government respectfully submits that the Court should schedule the trial for approximately four months after the Court's normal operations resume, relevant social distancing guidelines are vacated, and any relevant domestic and international travel restrictions are lifted. The Government believes that four months from that date will be sufficient time to complete the remaining pretrial matters, including (i) scheduling and completing depositions pursuant to Rule 15 of the Federal Rules of Criminal Procedure; (ii) coordinating victims' and victims' families travel; (iii) completing preliminary jury selection; and (iv) filing proposed requests to charge.

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The Government has conferred with defense counsel and understands that they are not prepared to make a similar representation regarding the potential trial schedule given the uncertainty about the overall impact of the pandemic and its effect on the ability of the defense to prepare for trial. Lastly, in light of the COVID-19 pandemic, the parties agree that the Court should exclude time in the interests of justice under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) through May 4, 2020.<sup>1</sup>

Respectfully submitted,  
GEOFFREY S. BERMAN  
United States Attorney

By: \_\_\_\_\_ /s/

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cc: Defense counsel (by ECF)

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<sup>1</sup> Chief Judge McMahon's March 13, 2020 order continuing jury trials scheduled to begin before April 27, 2020 excluded time only through April 27, 2020. *See In re: CORONAVIRUS/COVID-19 PANDEMIC*, 20 Misc. 154, at ¶ 8.